

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

UNITED STATES OF AMERICA)	
)	
v.)	CRIMINAL ACTION 10-081-KD-M
)	
RODNEY LAMON LUTIN,)	
Defendant.)	

ORDER

This matter is before the Court on a *sua sponte* review of the record.

On April 15, 2011, this Court sentenced Defendant Rodney Lamon Lutin to a 51-month term of imprisonment for distributing and possessing with the intent to distribute crack cocaine. (Doc. 43). Approximately 14 months later, on June 21, 2012, the United States Supreme Court held that the Fair Sentencing Act of 2010, which raised the quantities of crack cocaine required to trigger mandatory minimum penalties under 21 U.S.C. § 841(b)(1), applies to all defendants sentenced after the Act's effective date of August 3, 2010, even those whose conduct occurred before that date. Dorsey v. United States, Nos. 11-5683; 11-5721, 2012 WL 2344463 (U.S. June 21, 2012).

Trial counsel for the Defendant is hereby **ORDERED** to file on or before **Tuesday, July 24, 2012**, a brief that addresses whether, in light of Dorsey, Defendant may be entitled to any relief, and, if so, the procedural mechanism by which such relief may be obtained. The Government shall respond to Defendant's brief on or before **Tuesday, August 7, 2012**.

The Clerk is **DIRECTED** to send a copy of this Order to Defendant by U.S. Mail.

DONE and **ORDERED** this the 10th day of **July 2012**.

/s/ Kristi K. DuBose
KRISTI K. DuBOSE
UNITED STATES DISTRICT JUDGE